

1 Stephen D. Finestone (125675)  
Jennifer C. Hayes (197252)  
2 Ryan A. Witthans (301432)  
FINESTONE HAYES LLP  
3 456 Montgomery Street, Floor 20  
San Francisco, CA 94104  
4 Tel.: (415) 421-2624  
Fax: (415) 398-2820  
5 Email: sfinestone@fhllawllp.com  
Email: jhayes@fhllawllp.com  
6 Email: rwitthans@fhllawllp.com

7 Counsel for Kyle Everett,  
Chapter 7 Trustee  
8

9 **UNITED STATES BANKRUPTCY COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 In re

13 BENJA INCORPORATED,

14 Debtor.  
15  
16  
17  
18

Case No. 20-30819-DM

Chapter 7  
Previous Chapter 11

**ERRATA TO APPLICATION FOR  
ORDER AUTHORIZING  
EMPLOYMENT OF UNITEDLEX  
CORPORATION**

19 Kyle Everett (the “Trustee”), the duly appointed Chapter 7 trustee of the bankruptcy  
20 estate of Benja Incorporated (the “Debtor”), filed an *Application for Order Authorizing*  
21 *Employment of UnitedLex Corporation* (the “Application”) on February 2, 2022. ECF 109. The  
22 Trustee wishes to note a correction to the Application.

23 At paragraph 4, the Application states, “The Trustee has been hindered by Mr. Chapin’s  
24 refusal to provide information that might assist with the investigation of estate claims.” ECF 109  
25 at 2:15–16. While this may have been true earlier in the case, *see* ECF 68, Mr. Chapin has since  
26 provided some level of cooperation to the Trustee (though the Trustee is still seeking further  
27 information from him). For that reason, the quoted sentence should be deleted, and paragraph 4  
28 of the Application should therefore read as follows:

ERRATA TO APPLICATION TO EMPLOY UNITEDLEX

1

1           4.       Since his appointment, the Trustee has been investigating  
2       the Debtor's prior affairs and transaction. ECF 68 at ¶ 5. The  
3       Trustee has engaged in many hours of research of the Debtor's  
4       financial transactions and documents related to the transactions and  
5       has developed a list of transactions that may be avoidable. *Id.* at  
6       ¶ 7. The Trustee is pursuing the recipients of funds from the  
7       Debtor, has identified targets for avoidance actions and the like,  
8       has filed two adversary proceedings, and has reached a mediated  
9       settlement with a third target group. *Id.*; Adv. Proc. Nos. 21-03036  
10       (MHC Financial Services, Inc.), 21-03060 (Thomas B. Peters);  
11       ECF 103 (motion to approve compromise with Brett T. Buerck and  
12       related parties).

13           Regardless of Mr. Chapin's cooperation, the Trustee is consistent in his belief that it is  
14       necessary to engage the services of UnitedLex as ESI consultant for the reasons and on the terms  
15       set forth in the Application.

16       Dated February 8, 2022

FINESTONE HAYES LLP

/s/ Ryan A. Witthans

Ryan A. Witthans  
Counsel for Kyle Everett,  
Chapter 7 Trustee